

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAPETER WRIGHT, *et al.*,

No. C-12-0982 EMC

Plaintiffs,

**ORDER RE CORRECTIVE NOTICE**

v.

ADVENTURES ROLLING CROSS  
COUNTRY, INC., *et al.*,Defendants.  
\_\_\_\_\_ /

The Court has reviewed the parties' comments on the Court's proposed corrective notice. Defendants essentially do not object to the substantive content of the proposed corrective notice. Plaintiffs have proposed some revisions. The Court has considered Plaintiffs' proposed revisions and adopts them in part and rejects them in part. The Court hereby authorizes the following corrective notice. The notice shall be communicated via e-mail, which was the channel of communication previously used by Defendants. The parties should meet and confer to determine who should send the notice (*e.g.*, Defendants, Plaintiffs, or a third-party administrator). The notice shall issued two weeks from the date of this order.

**COURT NOTICE**

You may have received emails from Adventures Rolling Cross Country ("ARCC") regarding the lawsuit referenced above. These emails were not reviewed by the Court prior to their sending. The Court has authorized this notice to correct any possible misunderstandings created by the emails.

**Background on Lawsuit**

Plaintiffs in this case are former employees of ARCC. They have filed a class/collective action on their own behalf and on the behalf of others similarly situated against ARCC and Scott Von Eschen (collectively, “Defendants”). Plaintiffs contend that ARCC Trip Leaders are entitled to the protection of United States and California law, including payment of minimum wages, meal and rest period premiums, and overtime, with penalties and interest. The Court has limited the wage claims to time spent in California during training and/or post-trip debriefing. Defendants dispute all of Plaintiffs’ claims, asserting, among other things, that they are exempt from federal and state minimum wage and overtime laws because ARCC is an organized camp that conducts operations during a particular season (*i.e.*, summer).

The Court has not made any findings in this matter.

**ARCC’s Criticisms of Plaintiffs’ Attorneys**

ARCC’s emails contained statements that were critical of Plaintiffs’ attorneys. Any such statements are solely the opinions of ARCC. Whether or not you decide to participate in this lawsuit as a class action member, you should decide independently whether you wish to have Plaintiffs’ attorneys, another attorney, or no attorney represent you.

**Consequences of Your Participation in the Lawsuit or****Cooperation with Plaintiffs’ Counsel**

Comments made by ARCC about what you might receive from this lawsuit or what might happen to you should you decide to participate in the lawsuit and cooperate with Plaintiffs’ counsel are solely the opinion of ARCC.

**Retaliation Is Prohibited**


It is a violation of federal and California law for ARCC, or any of its managers or agents, to retaliate or otherwise discriminate against you for taking part in this case. If you believe that you have been penalized in any way for participating in this lawsuit or for considering participating in this lawsuit, you may contact a lawyer, either Plaintiffs’ counsel or another attorney of your choosing. You may contact Plaintiffs’ counsel at Bryan Schwartz Law, c/o Bryan Schwartz, (510) 444-9300, [bryan@bryanschwartzlaw.com](mailto:bryan@bryanschwartzlaw.com).

**Communications from Attorneys**

Attorneys representing Plaintiffs and/or Defendants may contact you about this lawsuit. It is up to you whether to communicate with the attorneys. As indicated above, you will not suffer any negative consequences for speaking with Plaintiffs' attorneys. If you communicate with Defendants' lawyers, those communications will not be confidential and could be used by Defendants in this case.

IT IS SO ORDERED.

Dated: July 5, 2012

  
EDWARD M. CHEN  
United States District Judge